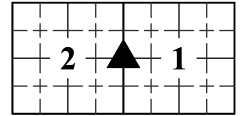


# GREENE COUNTY CORNER PERPETUATION RECORD

Corner ID: 6N5W\_C21

## Quarter Corner

Sections 1 & 2 - T06N – R05W, 2nd P.M.  
Taylor Township, Greene County, Indiana



## PERPETUATION RECORD

**MONUMENT:** Describe monument set or found (Include material type, scribing, distance above/below grade, dimensions.)  
5/8" x 24" rebar with orange plastic cap stamped "OSER IN PS# 21100022" set 6" above grade.

**OTHER EVIDENCE:** Describe corner location relative to nearby features and how to reach the corner location.  
The corner is in a north/south wire fence approximately 7 feet west of a north/south electric transmission line.

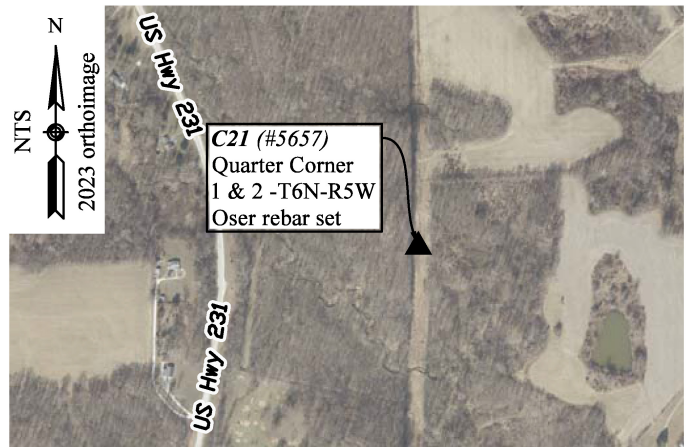
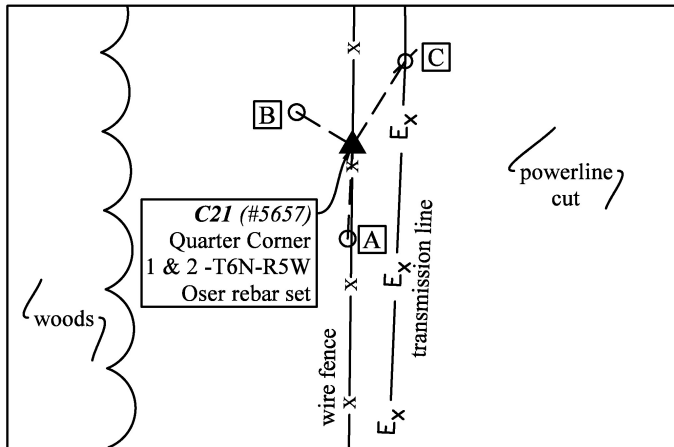
## GEODETTIC COORDINATES: (OSM #5657)

Northing	Easting	Datum	Datum Details
312432.46	837981.15	InGCS Greene Zone	US Survey Feet, NAD 83 (2011) epoch 2010.00,
1360451.91	2998590.82	NAD83(2011) IN West Zone	NAVD 88, geoid18_conus.db3

**WITNESS MONUMENT TIES:** Describe at least three witness objects established or work done to preserve existing evidence.

ID	Bearing	Distance	Description
A	S 3° W	14.2'	2" mag nail and 1-1/2" orange plastic disc set 12" above grade on the west side of a 5" wood post in a north/south fence
B	N 59° 08' 50" W	9.91'	1-1/2" mag nail in a yellow 5/8" x 16" polycarbonate "Rebarlite" set flush
C	N 32° E	15.1'	2" mag nail and 1-1/2" orange plastic disc set 15" above grade on the west side of an electric transmission line pole with no visible identification numbers. A Greene County Survey Marker sign was set 5.5 feet above grade on the southwest side of the pole.

**MONUMENT LOCATION SKETCH:** Attach a sketch and aerial image.



## CORNER REPORT

**THEORY OF LOCATION:** Describe the theory of location for acceptance of this monument.

The original government land surveyor monumented this corner with a wooden post in 1811. Our task when performing a perpetuation survey is to follow in the footsteps of the original surveyor. Dating back to the Act of February 11, 1805 (2 Stat. 313; 43 U.S.C. 752) original corners and lines established by the government surveyor are unchangeable and without error.

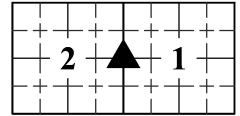
The county surveyors in office throughout the 1800s and early 1900s frequently performed what we refer to today as "Legal Surveys." They retraced the original government survey, replaced the original corners with permanent objects such as stones, and subdivided the sections. Proper notice was given to the landowners in the section, usually through an advertisement in the local paper, and the landowners were enlisted to help with the survey as chain bearers. In most cases, these 1800s era legal surveys provide the best evidence of the section and quarter section corners as established

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by the original land surveyors.

This corner is referenced on three legal surveys.

- **1840 Legal Survey in Section 1 by J.C. Brown filed in Legal Survey Book 1, pages 80-82 and pages 105-108.** Brown found the Northwest and Southwest corners of Section 1. Regarding this corner he noted:  
*“Then went to the NW Corner thence S 4° 56’ E 99.79 chains to the SW full Corner, then returned on said line 20 chains Established 1/16 S... thence back 20 chains more to the 1/4 S being destroyed proceeded to establish it so far only as to drive down a stake which I placed 6 or 8 rods west and north of where I was informed the old corner used to be or where the blazed tree would place it. **There is in the original survey an evident error in running from the Southwest corner to the Northwest.** The lines as blazed to the 1/8 S. I established would bear N 1° E or thereabouts gradually leaving a direct line from 1 full corner to the other for the first 1/2 mile the remainder of the way nearing it till they unite at the Northwest Corner.”*
- **1854 Legal Survey in Section 2 by P. Burr filed in Legal Survey Book 3, page 12.** Burr set a stone at this corner 41.41 chains east of the Center of Section 2. The significant excess in this line from the expected distance of 40 chains is consistent with the original blazed east line of Section 2 as described by Brown.
- **1898 Legal Survey in Section 1 by Francis Parker filed in Legal Survey Book 5, page 22.** Parker measured from the Northwest Corner of Section 1 to the Southwest Corner of Section 1 without any reference to the 1/4 Corner. He then measured 40.01 chains to this corner from the Center of Section 1, but he did not describe or witness a monument. Likely, he measured to the west line of Section 1 he had just run, not to a monument.

The corner is also referenced on three modern surveys. On a 2006 breakdown of Section 1, Marty James calculated this corner proportionately based on the dimension provided in the 1898 Legal Survey. In 2015 and 2019, David Boblitt and James Tibbett respectively held a calculated position for the corner based on the James survey.

A north/south fence line was found 84 feet east of the line between the Northeast and Southeast corners of Section 2 and an electric transmission line runs north/south approximately 7 feet east of the fenceline. The transmission line approximately follows the east line of Sections 2, 11, 14, and part of 23.

We originally reestablished this corner utilizing the same method as Marty James. Our position was 5 feet south of his due to using a different location for the Northeast Corner of Section 2, but no monument or evidence of possession was observed in the vicinity of either calculated position. This method is appealing because it has a clear mathematical solution, it has been used on two legal surveys and all recent surveys, it fixes the original “error”, the line between Sections 1 and 2 is straightened, and the measured distance of the lines from the Center 1/4 of Section 2 (2630.79 feet) and the Center 1/4 of Section 1 (2657.14 feet) would be much closer to the ideal length of 2640 feet. If possession lines indicated that the stake set by Brown in 1840 had been accepted by the adjoining landowners, we would have been comfortable establishing the corner based on the 1840 and 1898 legal surveys.

However, possession lines do not correlate with the 1840 and 1898 legal surveys, and we do not believe that the reference to the error on the 1840 legal survey was sufficient to correct the line. As stated above, **original corners and lines established by the government surveyor are unchangeable and without error.** And neither of the legal surveys performed in Section 1 were binding on landowners in Section 2. It is significant that Brown noted the erroneous line was clearly marked and chose not to set a permanent marker at the corner. All subsequent surveyors working in Section 1 appear to have reached the same conclusion, as none of them monumented the corner. In 1854, Burr (who was working in Section 2) did set a permanent marker, presumably in keeping with the original blazed line. Unfortunately, we were unable to find his stone or its accessories.

While the boundary lines and corners may be different from where we would establish them today based on mathematical solutions or the section corner evidence currently available, the original evidence controls. We

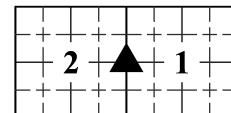
# GREENE COUNTY CORNER PERPETUATION RECORD

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Taylor Township, Greene County, Indiana



reestablished the corner holding a north/south proportion based on the dimensions provided in the 1898 Parker survey and an east/west position based on the as-built north/south fence, which we believe is the best available evidence of the original section line.

We close with an excerpt from the essay “The Judicial Functions of Surveyors” by Thomas M. Cooley, Chief Justice, Supreme Court of Michigan, 1864-1885

*“However erroneous may have been the original survey, the monuments that were set must nevertheless govern, even though the effect be to make one half-quarter section 90 acres and the one adjoining, 70; for parties buy, or are supposed to buy, in reference to these monuments, and are entitled to what is within their lines, and no more, be it more or less. While the witness trees remain, there can generally be no difficulty in determining the locality of the stakes.*

*When the witness trees are gone, so that there is no longer record evidence of the monuments, it is remarkable how many there are who mistake altogether the duty that now devolves upon the surveyor. It is by no means uncommon that we find men whose theoretical education is thought to make them experts, who think that when the monuments are gone the only thing to be done is to place new monuments where the old ones should have been, and would have been if place correctly. This is a serious mistake. The problem is now the same that it was before: to ascertain by the best lights of which the case admits, where the original lines were.”*

**EXISTING SURVEY HISTORY:** Include as much detail and history of the corner as known at the time of perpetuation.

### ORIGINAL GOVERNMENT SURVEY:

Year Surveyed: 1811 By: Arthur Henrie

Where filed or recorded: F\_EV05P464

Original monument: Wooden Post

Bearing Trees	Bearing	Distance
10" w.oak	S 9 W	10 lks = 6.6 ft
4" dogwood	N 89 W	16 lks = 10.56 ft

No original reference monuments were recovered.

### SUBSEQUENT LEGAL SURVEY:

Date Surveyed: 01/19/1854 By: Burr, P

Where filed or recorded: GCSO LSB3, pg 12

Monument: Set stone

Bearing Trees	Bearing	Distance
6" black walnut	N 22 W	42 lks = 27.72 ft
8" jack oak	S 28 W	90 lks = 59.4 ft

No legal survey reference monuments were recovered.

**OTHER SURVEY HISTORY:** Include details such as surveyor name, date, recording info, monument description, etc.

Date	Surveyor	Description	File Location
02/29/1840	Brown, J.C.	Legal Survey in Section 1 ( <i>drove a stake – no witnesses – noted that the stake was 6 or 8 rods north and west of where the original corner used to be and stated there was an error in the original survey...</i> )	LSB1, pages 80 and 105
04/04/1898	Parker, Francis	Legal Survey in Section 1 ( <i>measured to corner from East 1/4 and Center 1/4 of Section 1</i> )	LSB5, pg 22
05/22/2006	James, Marty	Holy Redeemer Monastery Survey and Affidavit in Section 1 ( <i>calculated corner by proportion per dimensions from Parker's 1898 legal survey – no monument found or set</i> )	2006-2991
10/06/2015	Boblitt, David	Survey for Johnson in Section 2 ( <i>calculated corner per James</i> )	2016-0328
10/22/2019	Tibbett, James	Ottmann survey in Section 1 ( <i>calculated corner per James</i> )	2019-4422

### UNCERTAINTIES IN THE CORNER LOCATION DUE TO:

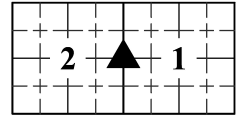
- Variances in the Monumentation: Without a chain of records to prove the perpetuation of the stone set in 1854, its location relative to the current monument is unknown. Therefore, the uncertainty cannot be determined.
- Discrepancies in the Documents: 83.8 feet.

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- Inconsistencies in the lines of Occupation: 7 feet.
- Theoretical Uncertainty (Random Errors in Measurement): The Relative Positional Accuracy of this survey is within the specifications for an Indiana Rural Survey (0.26 feet plus 200 ppm) as defined in IAC 865.

### PHOTO IDENTIFIED:



Photo Orientation & Description: Rebar set at C21



Photo Orientation & Description: Looking north at C21

### FIELD PERSONNEL:

Field Date: 06/12/2023 and 10/25/2023 By: Rachel Oser and Phillip Oser Project: Oser Surveying & Mapping LLC Job# 10248 Corner Perpetuation Survey for Taylor Township Sections 2, 11, 14 & 23, Township 6 North, Range 5 West

**BASIS OF GEODETIC COORDINATES:** The basis of bearings is the Indiana Geospatial Coordinate System's (InGCS) "Greene" zone NAD 83 (2011) epoch 2010.00, NAVD 88, geoid18\_conus.db3, reported in US Survey Feet and decimal parts thereof. The zone was developed to minimize the differences between ground measured horizontal distances and the corresponding grid coordinate (map) distances within the county. Coordinates are also reported in Grid North System NAD83(2011)/Indiana West NAVD 88, Epoch 2010.0000, geoid18\_conus.db3, US Survey Feet.

Coordinates were established using the Javad GNSS Data Online Processing Service (DPOS) to post-process static observations collected with a Javad Triumph 3 base. Positional values of other points listed herein were determined either from static GNSS (Javad Triumph LS Rover), RTK GNSS (Javad Triumph LS Rover) or radially with a conventional total station (Nikon Nivo) from points established by RTK GNSS. Most distances to witness ties are ground and were measured with a 100' steel tape from the monument to the mag nail. When it was not practical to set a mag nail or hack a tree, bearings and distances were measured to the center of the BT. Distances approaching or in excess of 100 feet were measured by locating the reference object with RTK. Bearings are grid and were measured with the internal compass of the Javad Triumph LS rover from the monument to the center of the BT. Bearings to witness ties are approximately shown hereon for reference. Priority should be given to provided distances over bearings.

### CERTIFICATION:

Rachel Oser  
Indiana Professional Surveyor 21100022  
Oser Surveying & Mapping LLC  
4632 E Rocky Road, Bloomfield, IN 47424  
(812) 320-2694 • Rachel@OserSurveying.com

Date: 10/31/2023



This document is not complete without the associated plat and report of even date.